

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

06 CR 102 (RPP)

**MEMORANDUM ORDER**

NATARAJAN R. VENKATARAM,  
a/k/a "Raju,"

Defendant.

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**ROBERT P. PATTERSON, JR., U.S.D.J.**

On August 12, 2008, the Court received a pro se motion from the Defendant seeking to vacate his sentence on the grounds that he did not receive and review the June 24, 2008 Revised Presentence Report (PSR) prior to sentence.

On July 31, 2008, the Court received a letter dated July 28, 2008 from Defendant bringing to its attention that Defendant had not even received the June 24, 2008 PSR from his counsel on the date of sentencing. The Court notified Defendant, by memo endorsement dated August 4, 2008, that, due to the filing of the Notice of Appeal, the Court no longer had jurisdiction over the case.

The Court is willing to reopen and reconsider its sentence after giving Defendant and his counsel an opportunity to comment and request changes in the new matter contained in the PSR dated June 24, 2008, but is concerned about its jurisdiction to take any action in view of the prior filing of the Notice of Appeal. Perhaps counsel for the parties could draft a stipulation allowing the Defendant the resentencing he seeks.

Counsel's response to this memorandum order should be received by August 14, 2008.

IT IS SO ORDERED.

Dated: New York, New York  
August 12, 2008

  
Robert P. Patterson, Jr.  
U.S.D.J.

Copies of this Order sent to:

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